

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 7/28/2016
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VERONICA JO ANGLERO	:	
	:	
Plaintiff,	:	15-CV-440 (VEC) (KNF)
	:	
-against-	:	
	:	<u>ORDER</u>
CAROLYN W. COLVIN,	:	
Acting Commissioner of Social Security,	:	
	:	
Defendant.	:	
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VALERIE CAPRONI, United States District Judge:

On due consideration, after review of Magistrate Judge Fox's Report and Recommendation dated June 7, 2016 (the "R&R"), no party having objected, and the time for objection having expired, the R&R is hereby approved and adopted.

The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(c); *see also* Fed. R. Civ. P. 72(b). Where, as here, neither party objects to the magistrate judge's report, a district court may adopt the report so long as it finds "there is no clear error on the face of the record." *Phillips v. Reed Grp., Ltd.*, 955 F. Supp. 2d 201, 211 (S.D.N.Y. 2013) (quoting *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)).

The Court has carefully reviewed Magistrate Judge Fox's R&R and finds no clear error in its conclusions. This Court agrees with Magistrate Judge Fox's conclusion that the Administrative Law Judge ("ALJ") correctly followed the required sequential analysis and committed no legal error. R&R at 18. The Court also agrees that the ALJ's findings are supported by substantial evidence, *id.*, and that Plaintiff's fair hearing claim is "unfounded," *id.* at 24. Magistrate Judge Fox's recommendation to deny Plaintiff's fair hearing claim is further

supported by Plaintiff's failure to specify what testimony was missing from the hearing transcripts and what injury she suffered as a result. *See* Pl.'s Mem. at 15 (Dkt. 24).

The Court adopts the R&R in full. Accordingly, Plaintiff's motion for judgment on the pleadings, Dkt. 23, is denied, and the Commissioner's cross-motion for judgment on the pleadings, Dkt. 32, is granted. The Clerk of the Court is respectfully directed to close Docket Entries 23 and 32, to enter judgment accordingly, and to terminate the case.

**SO ORDERED.**

**Date: July 28, 2016  
New York, NY**

A handwritten signature in blue ink, reading "Valerie Caproni".

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**VALERIE CAPRONI  
United States District Judge**